

Remarks

Reconsideration and reexamination of this application, as amended, are respectfully requested. Claims 10-11 are pending in this application upon entry of this Amendment and have been amended. Claims 1-9 and 12 have been cancelled. No claims have been added.

Claim Rejections – 35 U.S.C. § 112

In the Office Action mailed on February 5, 2002, the Examiner rejected claim 11 under 35 U.S.C. § 112, 2nd paragraph, for containing insufficient antecedent basis with respect to the limitation "the source's additional . . ." in line 2. The Applicant has amended claim 11 to address the 35 U.S.C. § 112, 2nd paragraph, rejection. Therefore, the Applicant requests reconsideration and withdrawal of the 35 U.S.C. § 112, 2nd paragraph, rejection.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claims 1-5 and 7-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,679,938 issued to Templeton et al. ("Templeton") in view of Illinois Gaming Board Regulations ("Regulations"). The Examiner rejected dependent claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Templeton and Regulations in view of U.S. Patent No. 5,256,863 issued to Ferguson et al. The Applicant believes that the claimed invention is patentable over any combination of Templeton and Regulations and has amended independent claim 10 to more clearly define thereover.

1. The Claimed Invention

The claimed invention satisfies the above-described need. The claimed invention, as recited in amended independent claim 10 is a method for cashing a check presented by an individual at a gambling establishment. The method includes providing a host computer containing an exclusion list database. The exclusion list database stores a list of

individuals to be excluded from the gambling establishment and at least one checking account identifier for each individual of the list of individuals. A check presented by an individual for cashing is then received at a point of sale device of the gambling establishment. Magnetic ink character recognition (MICR) information of the check presented by the individual is then scanned at the point of sale device of the gambling establishment. A checking account identifier associated with the individual presenting the check is then identified based on the scanned MICR information of the presented check. The checking account identifier associated with the individual presenting the check is then transmitted from the point of sale device to the host computer.

The checking account identifier associated with the individual presenting the check is then compared with the at least one checking account identifier for each individual of the list of individuals stored in the exclusion list database to determine whether the individual presenting the check is an individual to be excluded from the gambling establishment. The individual presenting the check is determined to be an individual to be excluded from the gambling establishment if the checking account identifier associated with the individual presenting the check matches a checking account identifier stored in the exclusion list database. The presented check is prevented from being cashed at the point of sale device of the gambling establishment if it is determined that the individual presenting the check is an individual to be excluded from the gambling establishment. The presented check is cashed at the point of sale device of the gambling establishment if it is determined that the individual presenting the check is not an individual to be excluded from the gambling establishment. Cashing the presented check may include using an additional check acceptance program such as taught by Templeton.

2. The Cited Prior Art References

The Examiner cited Templeton for disclosing the claimed invention including disclosing detection of an individual who should not be allowed to cash a check. The Examiner noted that Templeton does not specifically disclose that such an individual is a disassociated individual on an exclusion list such as the claimed invention. The Examiner cited Regulations (pages 1-7, particularly page 3) for disclosing a set of individuals who are to be

excluded from gambling, where "counter checks" are frequently used to obtain cash for gambling. The Examiner posited that it would have been obvious to modify the system for check approval disclosed by Templeton to detect the excluded individuals disclosed by Regulations in order to allow regulatory boards to prevent such individuals from obtaining cash to gamble at establishments where such individuals are prohibited from gambling.

3. The Claimed Invention as Compared to the Cited Prior Art References

The Applicant respectfully submits that the combination of Templeton and Regulations has been made using hindsight and/or using the claimed invention itself as a template. Although Templeton deals with the problem of cashing bad checks and uses check information to achieve this purpose, and Regulations uses an exclusion list of individuals to be excluded from a gambling establishment, there is nothing contained within either one of these references that would suggest their combination. The Applicant believes that it would not have been obvious to combine Templeton and Regulations because neither of these references teaches or suggests preventing a check presented by an individual from being cashed in a gambling establishment if the individual is to be excluded from the gambling establishment. The determination of whether a check presented by an individual is good or bad as disclosed by Templeton involves a different consideration than whether the individual presenting a check is to be excluded from a gambling establishment.

The required reasonable expectation of success in combining Templeton and Regulations is lacking because even if it was assumed that the combination was proper, at least one step of the claimed invention is absent from any combination of the references. Neither Templeton nor Regulations teaches or suggests comparing the checking account identifier associated with an individual presenting a check with checking account identifiers stored in an exclusion list database to determine whether the individual presenting the check is an individual to be excluded from a gambling establishment based on whether the checking account identifier associated with the individual presenting the check matches a checking account identifier stored in the exclusion list database. The database of Templeton stores negative information such as outstanding bad checks associated with a checking account. The exclusion list of Regulations

discloses a list of individuals to be excluded but does not disclose at least one checking account identifier for each excluded individual. Therefore, the combination of Templeton and Regulations is improper such a combination would not render the claimed invention obvious.

In view of the foregoing amendments and remarks, amended independent claim 10 overcomes the rejection under 35 U.S.C. § 103(a) as being unpatentable over any combination of Templeton and Regulations. Claim 11 depends from amended independent claim 10 and includes the limitations therein. Thus, dependent claim 11 also overcomes the rejection under 35 U.S.C. § 103(a).

CONCLUSION

In summary, claims 10-11, as amended, meet the substantive requirements for patentability. The case is in appropriate condition for allowance. Accordingly, such action is respectfully requested.

If a telephone or video conference would expedite allowance or resolve any further questions, such a conference is invited at the convenience of the Examiner.

Respectfully submitted,

CHERYL LANIER et al.

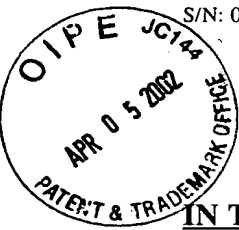
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Attachment

**VERSION WITH MARKINGS TO SHOW CHANGES MADE****IN THE TITLE:**

Replace the title with the following title.

**[A] SYSTEM AND METHOD FOR UTILIZING AN EXCLUSION LIST
DATABASE FOR CASINOS**

IN THE SPECIFICATION:

Replace the paragraph beginning on page 2, line 20, with the following paragraph.

In a busy casino, a typical night involves a high volume of transactions of which check cashing represents a significant means whereby patrons gain access to cash. In this situation, the casino strives to be efficient by completing transactions without undue delay or unnecessary embarrassment to the individual cashing the check. In the fast changing sea of faces often present in casinos, neither the tellers nor their supervisors typically develop personal relationships with the gaming patrons. Consequently, there is a need to develop a system of quickly and efficiently ascertaining whether the individual presenting a check for cashing has or has not been listed on the gambler's exclusion list put out by the state gaming commission. At present there is only one process available to the casino that allows them the ability to review and compare each customers personal information against the information provided by the state gaming commission and this would be a manual identification at the point when a check is presented for cash at the cage.

Replace the paragraph beginning on page 2, line 25, with the following paragraph.

Casinos are required to perform due diligence necessary to ensure that every person presenting a check for cashing is not on the state's disassociated list. This is typically accomplished by manually reviewing the information on the list, provided by the state, with the same information presented by the check writer, i.e., if the list requires a Social Security Number (SSN), then the casino will also require a SSN for comparison on the list. If there is a match or hit between the individual presenting a check for cashing and one listed on the Exclusion list, security will be summoned for further inspection of the check writer and the information supplied by the gaming commission. If after a visual inspection, it is determined that the check writer is listed on the Exclusion List, the casino must notify the police who then must file criminal trespass charges against the check writer.

Replace the paragraph beginning on page 5, line 10, with the following paragraph.

The check transaction processing system and method of the present [inventions] invention enables a casino teller presented with a check with the ability to quickly and accurately[,] verify the checking information at the entity housing an exclusion list database, and then to determine, through the exclusion list database, if the check writer is on the disassociated person or exclusion list.

Replace the paragraph beginning on page 5, line 15, with the following paragraph.

Figure 1 schematically illustrates a system 10 for identifying disassociated check writers whose status as disassociated check writers is housed in a database. System 10 includes [and] an input/output device (I/O) 12, and a host computer 14 in communication with device 12 which could be a point of sale (POS) device, a personal computer (PC) or similar device to transmit check writer data. As shown host computer 14 includes a microprocessor 16 and database 18 in communication with microprocessor 16.

Replace the paragraph beginning on page 6, line 4, with the following paragraph. A marked-up version is attached to this Amendment.

Host computer 14 includes microprocessor 16 and database 18. Database 18 has information on the disassociated check writers. Database 18 could be any type of medium suitable for the storage of this type of information. For example, database 18 could be a disk drive and a control or a plurality of disk drives and controls. The disassociated list information could be provided to the entity housing the exclusion list database by the state gaming commission or from the casinos directly. This information can be supplied in various forms including electronic or hard copy (paper) format. The information will be entered into an exclusion data base upon receipt. Upon entry into the database, the exclusion list can be readily accessed by casinos subscribing to the service that allows them access to the exclusion list database. Typical information provided by the gaming commission would include (but would not be limited to) the check writer's name, Driver's License number, social security number (SSN) and Magnetic Ink Character Recognition (MICR) information. The Exclusion List database [housed at the] will also accommodate future technological enhancements such as biometrics (retinal or thumbprint scan).

Replace the paragraph beginning on page 6, line 20, with the following paragraph.

Microprocessor 16 may be any suitable processor which is capable of capturing the information on individual check writers and later retrieving such information to identify a match between the information input at the I/O device and the information stored within the database 18. For example, microprocessor 16 may be a processor having the trade name AXTTM manufactured by Digital Equipment Corporation and having a speed [if] of 600-650 [megahertz of speed] megahertz and any suitable amount of memory. It should be noted that a plurality of microprocessors may be used.

IN THE CLAIMS:

10. (AMENDED) [A method for qualifying a check presenter's right to cash a check for gambling, the method comprising:

receiving a check presenter's check for cash at a point of sale device;

scanning the check for the check presenter's data at a point of sale device;

sending the scanned data to a host computer containing an exclusion list database, the host computer having an exclusion list database;

comparing the scanned data to an exclusion list database for a match;

if there is a match, sending a denial response to the point of sale device; and

if there is not a match, sending an approval response to the point of sale device.]

A method for cashing a check presented by an individual at a gambling establishment, the method comprising:

providing a host computer containing an exclusion list database, wherein the exclusion list database stores a list of individuals to be excluded from the gambling establishment and at least one checking account identifier for each individual of the list of individuals;

receiving at a point of sale device of the gambling establishment a check presented by an individual for cashing;

scanning at the point of sale device of the gambling establishment magnetic ink character recognition (MICR) information of the check presented by the individual;

identifying a checking account identifier associated with the individual presenting the check based on the scanned MICR information of the presented check;

transmitting from the point of sale device the checking account identifier associated with the individual presenting the check to the host computer;

comparing the checking account identifier associated with the individual presenting the check with the at least one checking account identifier for each individual of the list of individuals stored in the exclusion list database to determine whether the individual presenting the check is an individual to be excluded from the gambling establishment, wherein the individual presenting the check is determined to be an individual to be excluded from the

gambling establishment if the checking account identifier associated with the individual presenting the check matches a checking account identifier stored in the exclusion list database;

preventing the presented check from being cashed at the point of sale device of the gambling establishment if it is determined that the individual presenting the check is an individual to be excluded from the gambling establishment; and

cashing the presented check at the point of sale device of the gambling establishment if it is determined that the individual presenting the check is not an individual to be excluded from the gambling establishment.

11. (AMENDED) The method of claim 10 [including further comparing the data sent to the source's additional check acceptance programs before a final approval if there is not a hit] wherein cashing the presented check includes using an additional check acceptance program.